

Yeshiva Avir Yakov
766 N Main Street
Spring Valley NY 10977

DOCKET FILE COPY ORIGINAL

May 10, 2001

Federal Communication Commission
Office of the Secretary
445 12th Street, SW
Room TW-325
Washington, DC 20554

RE: CC Docket Nos. 96-45 and 97-21

Entity # 11332
Application # 202440
Funding Year 7/1/00-6/30/2001

RECEIVED

MAY 15 2001

FCC MAIL ROOM

The following is our appeal of the Administrator's Decision on Appeal – Tear 2000-2001 of our appeal dated November 13, 2000 in regard to our form 471 application number 202440 FRN numbers: 457391, 457400, 457411 and 457426

The decision of the Administrator stated:

“There is evidence to support that our attempts to secure additional information during the review process failed. Consequently, the decision was made to deny these FRN's as there was not enough documentation provided for SLD to make a determination on the eligibility of the items. Additional information is only accepted on appeal if the applicant has not been given an opportunity to provide that support during the review process. Since that is not the case here, the additional information provided on appeal cannot be used, and the original decision to deny the FRN's stands.”

The original funding decision indicated the reason for denial of funding was:

“Applicant has not provided sufficient documentation to determine the eligibility of this item”

In our appeal to the SLD (copy attached) we indicated that:

- 1- All of the items requested were clearly described on the Block 5 item 21 Attachments. Included in the description was an indication that non-eligible items were not included (i.e.: telephone instruments, computers etc)
- 2- All item requested, as described, are listed on The Schools And Libraries Eligibility List, CC Docket No.96-45.
- 3- All additional information that was requested was provided. No additional information or clarification requested was withheld.

Not only are all the items requested clearly eligible as per the eligibility list but most of the are self contained and have no component parts.

FRN 457391 only contained three items all of which were clearly listed on the original 471 application.

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List A B C D E

[REDACTED]

FRN 457400 contained quantity two, of one self-contained item with no component parts that is listed on the eligibility list almost identically to the way it was listed on the form 471.

FRN 457411 also contained quantity two, of one self-contained item with no component parts that is listed on the eligibility list almost identically to the way it was listed on the form 471.

FRN 457426 Is for PBX maintenance, which is also clearly eligible.

FRN 457433 is for the replacement of the main telephone terminal equipment. There is no other way to further describe this equipment.

In regard to the statement by the Administrator that "There is evidence to support that our attempts to secure additional information during the review process failed. Consequently, the decision was made to deny these FRN's as there was not enough documentation provided for SLD to make a determination on the eligibility of the items.", please see the attached copy of the fax dated July 3, 2000 which is the only request we have a record of having received in regard to these FRN(s).

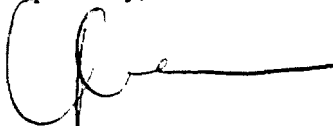
Please note that the type of information requested was proof of the requested amount for the FRN(s) not information regarding their eligibility. Also attached please find the response dated August 14, 2000 in which the information requested was provided.

Our office has no other records of information being requested.

In review, we feel that the information provided was sufficient to determine eligibility and that our office did respond to all requests for additional information that we received.

We therefore request that the FRN(s) be funded in full.

Respectfully,



Charles Bludman

Attachments:

- 1- Copy of Fax received from SLD dated July 3, 2000 (2 page)
- 2- Copy of appeal dated November 13, 2000 (2 pages)
- 3- Copy of our fax dated August 14, 2000 sent in response to the November 13, 2000 SLD fax (2 pages)
- 4- Copy of Administrator's Decision on Appeal – Funding Year 2000-2001 (2 pages)



Schools & Libraries Division

100 South Jefferson Road
Whippany, NJ 07981
973-884-8330
Fax: 973-884-8488

FAX TRANSMISSION COVER SHEET

Date: July 3, 2000
To: Charles Bludman – Yeshiva Avir Yakov
Fax: 914-354-~~0000~~ 0334
Contact: Stella Blaney – PIA Review

YOU SHOULD RECEIVE 2 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU
DO NOT RECEIVE ALL THE PAGES, PLEASE CALL
973-884-8330

Reference: Schools and Libraries Service Program 471 Application #202440

In order to continue to process your 471 E-Rate Application, I will need the following information faxed to me:

For FRN # 457307 for cellular telecomm service - Proof of requested amount of \$150.00/month.

For FRN # 457311 for cellular telecomm service (25 new) – Proof of requested amount of \$3,750.00/month. I will also need a list of the people using the cell phones (by title only – ie. Administrators, teachers, etc.).

For FRN # 457314 for telecomm service (2 new pagers) – Proof of requested amount of \$200.00/month

For FRN # 457323 for telecomm service (PRI/ISDN Line - Bell Atlantic) – Proof of requested amount of \$3,000.00/month and a one-time charge of \$1,500.00

✓ For FRN # 457391 for internal connections (PBX Expansion) – Proof of requested amount of \$18,087.00

✓ For FRN # 457400 for internal connections (2 PBX console units for 2 zone expansion) – Proof of requested amount of \$2,136.00

✓ For FRN # 457411 for internal connections (2 UPS for PBX) – Proof of requested amount of \$3,200.00

✓ For FRN # 457426 for internal connections (PBX maintenance - 2 buildings) – Proof of requested amount of \$13,000.00

Privilege and Confidentiality Notice

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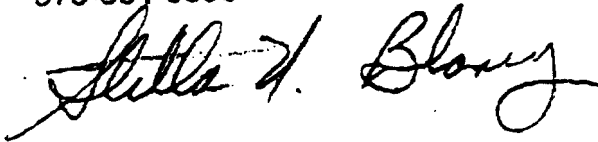
For FRN # 457433 for telecomm service (Bell Atlantic - install new main terminal) —
Proof of requested amount of \$5,000.00

For all of these requests, I will need to see statements, quotes, or proposals from vendors. If you have any questions or concerns, please do not hesitate to contact me at 973-884-8330.

Any documentation can be faxed to 973-884-8217 or 973-884-8488.

Thank you,

Stella Blaney — PIA
973-884-8330

A handwritten signature in cursive script that reads "Stella Blaney".

Privilege and Confidentiality Notice

The information in this telecopy is intended for the named recipients only. It may contain information that is privileged, confidential or otherwise protected from disclosure. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this telecopied material is strictly prohibited. If you have received the telecopy in error, please notify us by telephone immediately and mail the original to us at the above address. Thank you.

**Yeshiva Avir Yakov
766 N Main Street
Spring Valley NY 10977**

Entity # 11332
Application # 202440
Funding Year 7/1/00-6/30/2001

November 13,2000

The following is an appeal of the funding commitment for Application Number 202440.

RE: Funding Request Numbers: 457391,457400,457411,457426

The Funding Request Numbers referred to above were denied funding with the explanation that there was insufficient documentation. The Funding Commitment Decision Explanation indicated: "Applicant has not provided sufficient documentation to determine the eligibility of this item"

We appeal this funding decision for the following reasons:

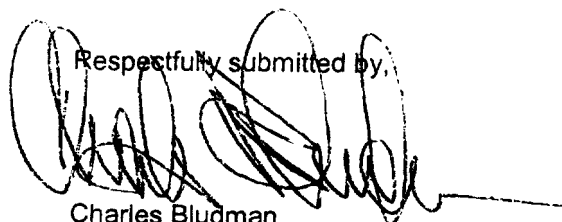
- 1- All of the items requested were clearly described on the Block 5 item 21 Attachments. Included in the description was an indication that non-eligible items were not included (i.e.: telephone instruments, computers etc)
- 2- All item requested, as described, are listed on The Schools And Libraries Eligibility List, CC Docket No.96-45.
- 3- All additional information that was requested was provided. No additional information or clarification requested was withheld.

The following is a list of each individual Funding Request Number followed by the description given on the Block 5 item 21 Attachments and the reference to its eligibility per The School And Libraries Eligibility List CC Docket No.96-45.

457391:	PBX Expansion
Eligibility List	"Private Branch Exchange (PBX)" Paragraph 458,460
457400	(2) PBX Console Units
Eligibility List	Console, PBX/Centrex Console with DSS Paragraph 459,458
457411	(2) UPS for PBX
Eligibility List	"Uninterrupted Power Supply (UPS) Paragraph 459,460
457426	"PBX Maintenance (2) Bldg. Wire Equip No PHONES"
Eligibility List	"Maintenance & Installation", Paragraph 450,451, 452,459,460
457433	"Install New Main Terminal"
Eligibility List	"Basic Telephone Service", 431 FCC Q&A Public Notice July 2, 1997 Q.6 "CENTREX", Paragraph 431 "POTS", 431 FCC Q&A Public Notice July 2, 1997 Q.6

Attached to this document please find copies of the Block 5 Item 21 Attachments which were included with the form 471 as submitted, and copies of the responses sent in response to requests for additional information.

Respectfully submitted by,



Charles Bludman

TO: SLC

ATT: STELLA BLANDY

8/14/00

FAX: 973.884.8488

From: Charles Bludman - Yashiva Avir YAKOV

Application # 202440

WE HAVE ALREADY RECEIVED PAYMENT FOR PERIOD
1/1/99 TO 12/31/99. THEREFORE WE ARE CLAIMING
ONLY FROM 1/1/2000 TO 6/30/2000.

RU # 457307 : Cell Phone : COPY OF 8/2000 BILL

RU # 457311 : Cell Phones : Proposal FROM VERIZON

RU # 457314 : Pagers : Proposal FROM PagerITE (PAGER NET)

RU # 457323 : Bill FROM BELL ATLANTIC

RU # 457391 : Bill FROM COMMUNICATION DATA

457400

457411

457426

55 Union Road
Suite 204
Spring Valley, NY 10977
914-371-1111
Fax: 914-352-6675

7/4/00

Invoice: 00006833

Page: 1

Bill To:

Yeshiva Avir Yakov
766 North Main St
Spring Valley, NY 10977

Work Location:

Yeshiva Avir Yakov
766 North Main St
Spring Valley, NY 10977

QTY.	Description	Price	Unit	Extended	Tax
1	PBX Expansion	\$18,087.00	.	\$18,087.00	
1	(2) PBX Console Units	\$2,136.00	.	\$2,136.00	
1	(2) UPS for PBX	\$3,200.00	.	\$3,200.00	
1	PBX Maintenance For 2 Buildings	\$13,000.00	.	\$13,000.00	
FRN 457391 457400 457411 457426					

Thank You For Choosing Team
Your Satisfaction _____
Is The Key To Our Success!

Sales Amount	\$36,423.00
Freight	\$0.00
Sales Tax	\$0.00
Total	\$36,423.00
Paid:	\$0.00

Balance Due: \$36,423.00



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2000-2001

April 16, 2001

Charles Bludman
Yeshiva Avir Yakov
766 N. Main Street
Spring Valley, NY 10977

Re: Billed Entity Number: 11332
471 Application Number: 202440
Funding Request Number(s): 457391, 457400, 457411, 457426 & 457433
Your Correspondence Dated: November 13, 2000

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year Three Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 30-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 457391, 457400, 457411, 457426 & 457433
Decision on Appeal: **Denied in full.**
Explanation:

- Your letter of appeal states that the funding requests were denied due to insufficient documentation. You are appealing this decision because all items requested were clearly described on the Item 21 attachments, that all requested items were listed as eligible on the website and that all additional information requested was provided.
- There is evidence to support that our attempts to secure additional information during the review process failed. Consequently, the decision was made to deny these FRN's as there was not enough documentation provided for SLD to make a determination on the eligibility of the items. Additional information is only accepted on appeal if the applicant has not been given an opportunity to provide that support during the review process. Since that is not the case here, the additional information provided on appeal cannot be used, and the original decision to deny the FRN's stands.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission, Office of the Secretary, 445 12th Street, SW, Room TW-A325, Washington, DC 20554. Please reference CC Docket Nos. 96-45 and 97-21 on the first page of your appeal. Before preparing and submitting your appeal, please be sure to review the FCC rules concerning the filing of an appeal of an Administrator's Decision, which are posted on the website at <www.universalservice.org>. **You must file your appeal with the FCC no later than 30 days from the date on this letter for your appeal to be filed in a timely fashion.**

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company